



PATENT  
Customer No. 22,852  
Attorney Docket No. 09812.0078-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Makoto YAMADA et al. ) Group Art Unit: 2621  
Application No.: 10/578,347 )  
Filed: May 5, 2006 ) Examiner: Topgyal, Gelek W.  
For: **RECORDING APPARATUS AND ) Confirmation No.: 6634**  
**METHOD, PLAYBACK APPARATUS )**  
**AND METHOD, RECORDING )**  
**MEDIUM, AND COMPUTER- )**  
**READABLE MEDIUM FOR )**  
**RECORDING AND PLAYING BACK )**  
**MOVING IMAGES (AS AMENDED) )**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents on the attached PTO/SB/08 Form. This Supplemental Information Disclosure Statement (Supplemental IDS) is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p). This Supplemental IDS supplements the IDS filed on December 12, 2008.

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Applicants attach copies of the listed foreign and on patent literature documents.

A copy of the U.S. Patent Application Publication No. 2009/0022479 is not enclosed.

Applicant respectfully requests that the Examiner consider the listed document and indicate that they were considered by making appropriate notations on the attached form.

In lieu of a statement of relevance or translation of the listed foreign document,

Applicants enclose a copy of an English translation of the Office Action dated July 25, 2008 from the Chinese Patent Office for counterpart Chinese Patent Application No. 200580001277.5, citing Japanese Publication No. 2003-168283 and Japanese Publication No. 2001-160947 (both references were cited in a Information Disclosure Statement filed on December 12, 2008) and setting forth the relevance thereof. In addition, Applicants enclose English language Abstracts of WO 2005046230 and JP 2000175158, which are cited in the listed Supplementary European Search Report for European Patent Office dated May 29, 2009. Copies of EP 1441356 and WO 97410623, which are also cited in the Supplementary European Search Report and originally in English, are also enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies the document as prior art against any claims in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 13, 2009

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